

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN**

CREATE-A-PACK FOODS, INC.,

Plaintiff,

v.

Case No. 20-CV-499

**BATTERLICIOUS COOKIE
DOUGH COMPANY, et al.,**

Defendants.

ORDER

There are two motions pending before the court: plaintiff Create-A-Pack Foods, Inc.'s motion for leave to file an amended complaint (ECF No. 67) and defendants Batterlicious Cookie Dough Company, Stephen Levy, and Claudia Levy's motion to amend their counterclaim. (ECF No. 66). For the reasons discussed at the parties' May 27, 2022 telephonic status conference, Create-A-Pack Foods' motion is granted, and the defendants' motion is denied.

Create-A-Pack Foods shall work with the defendants so as to ensure their access to any additional discovery materials that may be necessary for responding to Create-A-

Pack Foods' amended complaint. The parties shall work together to determine a schedule for that additional discovery.

IT IS THEREFORE ORDERED that the plaintiff's motion for leave to file an amended complaint (ECF No. 67) is **GRANTED**. The plaintiff may file its proposed amended complaint. (*See* ECF No. 67-1.)

IT IS FURTHER ORDERED that the defendants' motion to amend their counterclaim (ECF No. 66) is **DENIED**.

Dated at Milwaukee, Wisconsin this 27th day of May, 2022.


WILLIAM E. DUFFIN
U.S. Magistrate Judge